IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

Bail Appl..No. 5647 of 2007()

CR.NO. 345/07 OF VADAKKEKKAD POLICE STATION

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PETITIONER/ACCUSED NO.1(IN CUSTODY)

SURESH, S/O.KUMARAN,
KODAVAMPARAMBIL HOUSE,
KOTHACHIRA, TRISSUR.

BY ADV. SRI.SUNNY VARGHESE
SRI.P.A.AUGUSTIAN

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 5647 of 2007

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Dated this the 24th day of September, 2007

O R D E R

Application for regular bail. Petitioner is the first accused. Altogether there are three accused persons. The crux of the allegations is that all the three accused persons, who were travelling on a motor cycle on 29.7.2007, were found to carry with them counterfeit currency notes of Rs.500 denomination. The petitioner had 20 such notes. Altogether there was 100 such notes in all in the possession of accused 1 to 3. The petitioner and the co-accused continue in custody from 29.7.2007. Investigation is not complete.

2. The learned counsel for the petitioner submits that the petitioner is absolutely innocent. He and his family are suffering for the continued incarceration from 29.7.2007. Investigation is almost complete now, submits the counsel. He prays that the petitioner may be enlarged on bail.

3. The learned Prosecutor opposes the application. He submits that the allegations reveal a very serious crime. Investigation is not complete. It is true that the petitioners are continuing in custody from

29.7.2007. Clues have been collected from the accused persons about the person from whom they came into possession of the counterfeit currency notes. The source has not been traced out. At this early stage of investigation, the petitioner may not be enlarged on bail, submits the Prosecutor.

4. I am certainly of the opinion that there is merit in the opposition of the learned Prosecutor. The petitioner is not entitled to be enlarged now. In a serious crime like this, the Investigator is entitled to sufficient time to complete the investigation.

5. This application is, in these circumstance, dismissed. But I may hasten to observe that the petitioner shall be at liberty to move the court for bail again at a later stage of the investigation, not at any rate, prior to 8.10.2007. The Investigators shall, in the meantime, make every endeavour to complete the investigation.

(R. BASANT)
Judge

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